

REMARKS

Applicant has considered the final Office Action mailed April 22, 2009, and provides the following response thereto. In this amendment, Claims 3, 18, 24 and 36-39 are canceled. Claims 40 and 41 are new. Accordingly, Claims 1-2, 4-17, 19-23, 25-35 and 40-41 are pending. No new matter has been added.

In the final Office action, Claims 1, 2, 4-17, 19-23 and 25-35 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 20060109826 to Macaulay (*Macaulay*), in view of U.S. Patent No. 7,042,852 to Hrastar (*Hrastar*). Applicant respectfully traverses in part and amends in part.

Applicant has amended the claims to further clarify the claimed subject matter. Independent Claim 1 now describes a method for detecting unauthorized access attempts to a system that includes, in part, storing state information for mobile units, the state information including at least a MAC address parameter, an authentication status parameter, and a further parameter unrelated to the MAC address parameter and the authentication status parameter and maintaining a state transition history for each of said mobile units. Independent method Claim 19 now also describes maintaining a state transition history for each of said mobile units. Support for these claim amendments can be found on page 8, paragraph 0023. In one exemplary embodiment, it is described that the intrusion server extracts state information from the packets it captures and maintain a state transition history for each wireless device on the WLAN. Certain intrusions can be detected by monitoring this state transition information, which may be stored in form of a state table. (Specification, pg. 8, paragraph 0023).

New Claim 40 describes the method of Claim 1 wherein the further parameter is a power management mode. New Claim 41 further defines the method of Claim 19, wherein the further parameter is a power management mode. Support for these claims can be found throughout the specification, and in particular, in paragraph 0023 where it is described that the state table may include a power management mode. Applicant

respectfully submits that none of the references of record disclose or suggest a power management mode as a further parameter, as defined in Applicant's pending claims.

Applicant respectfully notes that in order to support a claim of *prima facie* obviousness, the cited references must teach or suggest each and every element of the invention, and there must be some motivation in the references or the prior art to combine the references and the prior art as suggested. In the instant case, Applicant respectfully submits that nothing in the art of record teaches or suggests, either alone or in combination, the claim features of independent Claim 1, which Claims 2, 4-17 and 40 depend from, or Claim 19, which Claims 20-23, 25-35 and 41 depend from. Specifically, nothing in the art of record teaches or suggests "*maintaining a state transition history for each of said mobile units*," as recited in both independent Claims 1 and 19.

In view of the comments above, Applicant respectfully submits that Claims 1 and 19 should be allowed for at least these reasons.

Applicant respectfully submits that Claims 2, 4-17 and 40, which depend from Claim 1, and Claims 20-23, 25-35 and 41, which depend from Claim 19, are all patentable over the prior art of record by virtue of their dependence. Further, Applicant submits that Claims 2, 4-17, 20-23, 25-35, 40 and 41 define additional patentable subject matter in their own right. Therefore, it is respectfully requested that the rejections of Claims 1, 2, 4-17, 19-23 and 25-35 be reconsidered and withdrawn for at least these reasons.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any

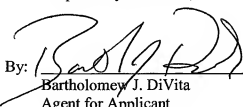
claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Entry of the amendments to Claims 1, 19, 40 and 41; favourable consideration of Claims 1, 19, 40 and 41; favourable reconsideration of Claims 2, 4-17, 19-23 and 25-35 and allowance of pending Claims 1-2, 4-17, 19-23, 25-35 and 40-41 are earnestly solicited.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 502117. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number provided below to discuss any outstanding issues relating to the allowability of the application.

Respectfully submitted,

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